

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF WASHINGTON**

JOHNNY DICKEY,

Plaintiff,

vs.

CAROLYN W. COLVIN,

Acting Commissioner of Social Security,

Defendant.

No. 1:15-CV-3070-FVS

ORDER ADOPTING REPORT AND  
RECOMMENDATION TO GRANT  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT AND  
DENY DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT

ECF Nos. 18, 20, 25

**BEFORE THE COURT** is the Report and Recommendation issued by Magistrate Judge Mary K. Dimke on August 18, 2016, ECF No. 25, recommending Plaintiff's Motion for Summary Judgment, ECF No. 18, be granted and Defendant's Motion for Summary Judgment, ECF No. 20, be denied. No objection was filed. After review, the Court hereby adopts the Report and Recommendation in its entirety. Accordingly, **IT IS ORDERED:**

ORDER ADOPTING REPORT AND RECOMMENDATION TO GRANT  
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND DENY  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT ~ 1

1           1.     The Report and Recommendation, **ECF No. 25**, is **ADOPTED** in its  
2 entirety.

3           2.     Plaintiff's Motion for Summary Judgment, **ECF No. 18**, is  
4 **GRANTED**.

5           3.     Defendant's Motion for Summary Judgment, **ECF No. 20**, is  
6 **DENIED**.

7           4.     An application for attorney fees may be filed by separate motion.

8           The District Court Executive is directed to file this Order and forward copies  
9 to the parties. Judgment shall be entered for Plaintiff and the file shall be  
10 **CLOSED**.

11           DATED September 8, 2016.

12                               s/Fred Van Sickle  
13                               Fred Van Sickle  
14                               Senior United States District Judge